

12-7-01

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Docket No. D0034np

M&F LLP Ref: 3053-4107US2

Express Mail No. EL 912 001 382 US



23914

PATENT TRADEMARK OFFICE



↑AFFIX CUSTOMER NO. LABEL
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
UTILITY APPLICATION AND FEE TRANSMITTAL (37 C.F.R. §1.53(b))

Commissioner for Patents

Box Patent Application
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s) names and addresses:

- (1) Michael A. BOWEN
7812 Polara Place
Rockville, MD 20855 USA;
- (2) Yuli WU
3 Susanna Way
Newtown, PA 18940 USA;
- (3) Wen-Pin YANG
25 Rutgers Lane
Princeton, NJ 08540 USA;
- (4) Joshua FINGER
222 Woodland Parkway, Apt. 254
San Marcos, CA 92069 USA;
- (5) Steven NADLER
164 Neil Court
Princeton, NJ 08540 USA;
- (6) Pamela CARROLL
309 Trinity Court #10
Princeton, NJ 08540 USA; and
- (7) John FEDER
277 Dutchtown-Zion Road
Belle Mead, NJ 08540 USA

658947 v1

EL 912 001 382 US

Additional inventors are listed on a separate sheet

For: **POLYNUCLEOTIDE ENCODING AN ACTIVATED HUMAN T-LYMPHOCYTE-DERIVED PROTEIN RELATED TO UBIQUITIN CONJUGATING ENZYME**

Enclosed Are:

139 total pages of Application, including:
134 page(s) of Specification
4 page(s) of Claims
1 page(s) of Abstract
9 sheets of Formal Drawings (FIGS. 1A/1B-6); Informal Drawings
 page(s) of Declaration and Power of Attorney

Unsigned
 Newly Executed
 Copy from prior application
 Deletion of inventors including Signed Statement under 37 C.F.R. §1.63(d)(2)

REQUEST AND CERTIFICATION UNDER 35 U.S.C. §122(b)(2)(B)(i) (form PTO/SB/35)

As indicated on the attached Request and Certification, Applicant(s) certify that the invention disclosed in the attached application HAS NOT and WILL NOT be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. Applicant(s) therefore request(s) that the attached application NOT be published under 35 U.S.C. §122(b).

Incorporation by Reference:

The entire disclosure of the prior application, from which a copy of the combined Declaration and Power of Attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.

Deletion of Inventors (37 C.F.R. §1.63(d) and §1.33(b))
Signed statement attached deleting inventor(s) named in the prior application serial no. , filed .

Microfiche Computer Program (Appendix)

22 pages of Sequence Listing

Computer readable disk containing Sequence Listing

Statement under 37 C.F.R. §1.821(f) that computer and paper copies of the Sequence Listing are the same, 2 pages

Assignment Papers (assignment recordation cover sheet and assignment document; _____ total pages)

A check in the amount of \$40.00 for recording the Assignment

Charge the Assignment Recordation Fee to Deposit Account No. 13-4500, Order No. _____.

Assignment Papers filed in the parent application Serial No. _____.

Certification of chain of title pursuant to 37 C.F.R. §3.73(b)

Priority is claimed under 35 U.S.C. §119 for:
Application No(s). _____, filed _____, in _____ (country).

Certified Copy of Priority Document(s) [_____]

filed herewith

filed in application Serial No. _____, filed _____.

English translation document(s) [_____]

filed herewith

filed in application Serial No. _____, filed _____.

Priority is claimed under 35 U.S.C. §119(e) for:
Provisional Application U.S. Serial No. 60/308,706, filed July 30, 2001 and
Provisional Application U.S. Serial No. 60/244,688, filed October 30, 2000.

Information Disclosure Statement

Copy of [_____] cited references

PTO Form-1449

References cited in parent application Serial No. _____, filed _____.

Related Case Statement under 37 C.F.R. §1.98(a)(2)(iii)

A copy of related pending U.S. Application(s) Serial No(s): _____, filed _____, respectively, is attached hereto.

A copy of related pending U.S. Application(s) entitled, _____, filed _____ to inventor(s) _____, respectively, is attached hereto.

A copy of each related application(s) was submitted in parent application serial no. _____, filed _____.

Preliminary Amendment

Return receipt postcard (MPEP 503)

This is a continuation divisional continuation-in-part of prior application serial no. _____, filed _____, to which priority under 35 U.S.C. §120 is claimed.

Cancel in this application original claims _____ of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

A Preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application).

The status of the parent application is as follows:

A Petition for Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until _____.

A copy of the Petition for Extension of Time in the co-pending parent application is attached.

No Petition for Extension of Time and Fee therefor are necessary in the co-pending parent application.

Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.

Transfer the drawing(s) from the parent application to this application

Amend the specification by inserting before the first line the sentence:
This is continuation divisional continuation-in-part of co-pending application Serial No. _____, filed _____.

I. CALCULATION OF APPLICATION FEE				
	Number Filed	Number Extra	Rate	Basic Fee \$740.00/370.00
Total Claims	18 - 20 =	0 x	\$18.00/ \$9.00	\$ 0.00
Independent Claims	4 - 3=	1 x	\$84.00/ \$42.00	\$ 84.00
<input type="checkbox"/> Multiple Dependent Claims		If marked, add fee of \$280.00 (\$140.00)		\$ 0.00
				TOTAL: \$ 824.00.

Small entity status is or has been claimed. Reduced fees under 37 C.F.R. §1.9 (f) paid herewith
\$ _____.
 A check in the amount of \$ 824.00 in payment of the application filing fees is attached.
 Charge fee to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
 The Commissioner is hereby authorized to charge any additional fees which may be required for filing this application pursuant to 37 CFR §1.16, with the parent application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 3053-4107US2. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: October 29, 2001

By:

Leslie A. Serunian

Leslie A. Serunian
Registration No. 35,353

Correspondence Address:

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PROSECUTOR'S OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): **M.A. BOWEN, Y. WU, W-P. YANG, J. FINGER, S. NADLER, P. CARROLL, J. FEDER**

Serial No.: **To Be Assigned** Group Art Unit: **To Be Assigned**

Filed: **Herewith (October 29, 2001)** Examiner: **To Be Assigned**

For: **Polynucleotide Encoding An Activated Human T-Lymphocyte-Derived Protein Related To Ubiquitin Conjugating Enzyme**

EXPRESS MAIL CERTIFICATE

Express Mail Label No.: **EL 912 001 382 US**

Date of Deposit: **October 29, 2001**

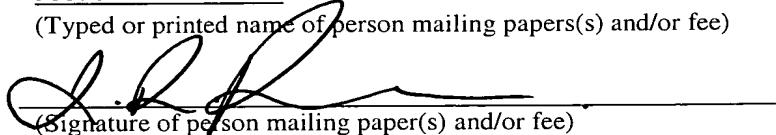
I hereby certify that the following attached paper(s) and/or fee

1. Utility Application and Fee Transmittal (37 CFR 1.53(b)), (5 pages);
2. Utility Patent Application containing: 139 total pages of application, including 134 pages of Specification, 4 pages of Claims, 1 page of Abstract, 9 sheets Formal Drawings (FIGS. 1A/1B-6);
3. Sequence Listing (22 pages);
4. Statement Accompanying Sequence Listing under 37 CFR 1.821-1.825 (2 pages);
5. 3.5 inch disk containing Computer-Readable form of Sequence Listing;
6. Application Fee (check for \$824.00);
7. Return Postcard

are/is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Jesus R. Remedios

(Typed or printed name of person mailing papers(s) and/or fee)



(Signature of person mailing paper(s) and/or fee)

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New York, NY 10154-0053
(212) 758-4800 Telephone
(212) 751-6849 Facsimile

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket No: D0034np

In re patent application of

BOWEN, MICHAEL A. et al.

Serial No. Unassigned

Filed: Concurrently Herewith

For: POLYNUCLEOTIDE ENCODING AN ACTIVATED HUMAN T-LYMPHOCYTE-DERIVED PROTEIN RELATED TO UBIQUITIN CONJUGATING ENZYME

STATEMENT TO SUPPORT FILING AND SUBMISSION IN
ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825

10003549-102901
Assistant Commissioner for Patents
Washington, D.C. 20231
Box SEQUENCE

Sir:

In connection with a Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

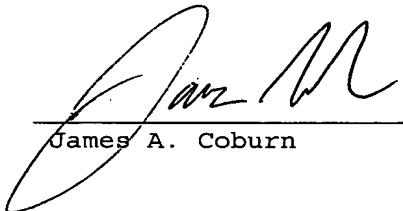
1. the submission, filed herewith in accordance with 37 C.F.R. § 1.821(g), does not include new matter;
2. the content of the attached paper copy and the attached computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same; and
3. all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United

EL 912 001 382 US }
}

Serial No. Unassigned

States Code and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

Respectfully submitted,



James A. Coburn

Oct. 24, 2001

Date

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